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MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

APRIL 6, 2004

State Senator Pete Knight is currently proposing legislation in Sacramento that would amend the Flood Control Act to facilitate the transfer of storm drain facilities in Los Angeles County. Under existing State law the governing board of a local jurisdiction—a Board of Supervisors for a County or a City Council for a city—must adopt a resolution to transfer or accept storm drain facilities, and the authority cannot be delegated. Currently, the Board’s agenda has on average five items per month from the Department of Public Works related to the transfer and acceptance of storm drain systems. This process is time-consuming and inconsistent with other similar policies at Public Works.

This proposed bill will amend the Flood Control Act to allow the Board of Supervisors to assign a designee to accept the transfer of storm drain facilities on behalf of the Los Angeles County Flood Control District. The amendment would also allow a City Council to assign a designee to act on their behalf in offering the storm drain for transfer. Currently, road and sewer acceptance has been delegated by the Board to the Director of Public Works. This proposed amendment would allow the Board of Supervisors to delegate authority for accepting storm drain facilities to the Director of Public Works as well.

I, THEREFORE, MOVE that the Board of Supervisors send a five-signature letter indicating the Board’s support of SB 1677 to the Governor, the Speaker, the Senate Pro Tem, the Minority Leaders in both houses, and our Los Angeles County Legislative Delegation.

#

MDA:pno
sb1677

MOTION

MOLINA	_____
BURKE	_____
YAROSLAVSKY	_____
ANTONOVICH	_____
KNABE	_____

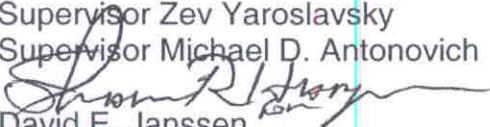


County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
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DAVID E. JANSSEN
Chief Administrative Officer

April 9, 2004

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich
From: 
David E. Janssen
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE BRATHWAITE BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

**MOTION TO SUPPORT SB 1677 (KNIGHT) -- COUNTY FLOOD CONTROL DISTRICT
ACCEPTANCE OF STORM DRAINS (ITEM NO. 2, AGENDA OF APRIL 13, 2004)**

Item No. 2 on the April 13, 2004 Agenda is a motion by Supervisor Antonovich to send a five-signature letter indicating the Board's support of SB 1677 (Knight) to the Governor, the Speaker, the Senate Pro Tem, the Minority Leaders in both houses, and the County's Legislative Delegation.

SB 1677 would amend the Los Angeles County Flood Control Act, to allow the Flood Control District (District) to accept the transfer of a storm drain improvement or drainage system from a city without action by the Board. Currently, a transfer requires a four-fifths vote by the Board. The bill would eliminate the ability of a private party to transfer a drain to the District, ensuring that a city accept the drain first. It would allow acceptance of a drain that is outside of the boundaries of the District if the drain impacts flood protection in the District. Current law requires the Board to levy a special tax to pay for the maintenance and operation of transferred drains. This bill would change that language, so that the Board may levy a special tax for these purposes.

The Department of Public Works (DPW) recommends supporting SB 1677, because it:

- clarifies and streamlines the process for transferring drains, making the process the same as that used for roads;
- adds language to reduce the potential for litigation and liability for the County;
- requires a private party to first transfer a drain to a city, which will be responsible for having all deficiencies corrected before it is offered to the County; and,
- allows acceptance of drains outside the District, so that they can be operated properly, avoiding potential problems.

Each Supervisor
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The City of Santa Clarita is sponsoring this bill.

SB 1677 was introduced on February 20, 2004. It is scheduled for a hearing by the Senate Agriculture and Water Resources Committee on April 20, 2004.

There is no County policy on this issue. **A position is, therefore, a matter for Board determination.**

DEJ:GK
MAL:DRS:ib

c: Executive Officer, Board of Supervisors
County Counsel
Department of Public Works



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DAVID E. JANSSEN
Chief Administrative Officer

April 12, 2004

REVISED

Board of Supervisors
GLORIA MOLINA
First District

YVONNE BRATHWAITE BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

To: Supervisor Don Knabe, Chairman
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From: 
David E. Janssen
Chief Administrative Officer

**MOTION TO SUPPORT SB 1677 (KNIGHT) -- COUNTY FLOOD CONTROL DISTRICT
ACCEPTANCE OF STORM DRAINS (ITEM NO. 2, AGENDA OF APRIL 13, 2004)**

This memo is a revised version of Item No 2 on the Agenda of April 13, 2004. The original analysis assumed that SB 1677 had been amended.

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SB 1677 would amend the Los Angeles County Flood Control Act, to allow the Flood Control District (District) to accept the transfer of a storm drain improvement or drainage system from a city, or a private party, without action by the Board. Currently, such a transfer requires a four-fifths vote by the Board. The bill would also allow acceptance of a drain that is outside of the boundaries of the District if the drain benefits property within the District. Current law requires the Board to levy a special tax to pay for the maintenance and operation of transferred drains. This bill would change that language, so that the Board may levy a special tax for these purposes.

The Department of Public Works (DPW) has worked with County Counsel to develop amendments to SB 1677 which would:

- further clarify and streamline the administrative process for transferring drains; and
- reduce the potential for litigation and liability for the District.

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DPW indicates SB 1677 would expedite the transfer of storm drains and that the recommended amendments will bring this law into conformance with similar laws relating to roads. **Therefore, DPW recommends that the County support SB 1677 if it is amended, and we concur.**

The City of Santa Clarita is sponsoring this bill.

SB 1677 was introduced on February 20, 2004. It is scheduled for a hearing by the Senate Agriculture and Water Resources Committee on April 20, 2004.

DEJ:GK
MAL:DRS:ib

c: Executive Officer, Board of Supervisors
County Counsel
Department of Public Works